

CHAPTER 5, ARTICLE 19 — ARREST, SEARCH, AND SEIZURE

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52050.1 Policy

Pursuant to the Penal Code, the Secretary has established a system of searches in the maintenance of safety and security of each correctional facility.

52050.2 Purpose

This article provides the proper process of arrest, searches, and seizures within the Department. The performance of the functions of arrest, search and seizure shall be in accordance with all laws, rules, and regulations pertaining to those functions. Due process shall be afforded in all cases where applicable.

52050.3 Responsibility

Each Warden shall implement, govern, and monitor training of all persons who shall be required to conduct searches in departmental facilities.

- All managers and supervisors shall ensure their subordinates are aware of and comply with this section, provide OJT, and provide general supervision of scheduled search activity.
- All employees shall be aware of the content of this article.

52050.4 Peace Officer Defined

Any correctional employee who meets the requirements as outlined in PC 830.5 is a peace officer.

52050.5 Definition of Arrest

An arrest is taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer or by a private person.

52050.5.1 Definition of Detention

Detention is the stopping of a person, other than an inmate, by a peace officer, for the purpose of conducting a brief investigation into the identity of the person and the nature of their presence when the officer reasonably suspects the person may be involved in criminal activity.

Any department employee is authorized to stop and detain any inmate for the purpose of determining their identity and ascertaining the nature of their activity.

52050.5.2 Definition of Seizure

The taking, confiscating, possession or custody of contraband as outlined in DOM 52051.

- To hold under authority of law.

- To check the progress or spread of unlawful acts.

52050.6 Formalities in Making Arrest; Exceptions

The officer making the arrest shall inform the person being arrested of:

- The intention to arrest.
- The cause for the arrest.
- The authority to make the arrest, except when the officer effecting the arrest reasonably suspects that the person to be arrested is actually engaged in the commission of a crime, or the person to be arrested is pursued immediately after its commission, or after an escape.

The requirement that the officer inform the person to be arrested of the authority to arrest shall be deemed satisfied when the officer is in full uniform and is clearly visible to the arrestee.

52050.7 Miranda Rights

Any peace officer effecting an arrest of any person for any criminal offense shall advise the arrestee of their constitutional rights pursuant to the Miranda decision. The arrestee shall be advised of their rights prior to any interrogation, by reading verbatim the following to the arrestee in a language that the arrestee understands.

- You have the right to remain silent.
- Anything you say can and will be used against you in a court of law.
- You have the right to consult an attorney and to have an attorney present with you during questioning now or in the future.
- If you cannot afford to hire an attorney, one will be appointed for you at no charge.
- Do you understand each of these rights as I have explained them to you?
- Now that I have explained your rights, are you willing to make a statement without an attorney present?

The arresting officer shall, whenever practical, ensure that another peace officer is present when the arrestee is advised of these rights and the answer to these questions, along with any statement provided after a waiver of these rights, shall be documented in the appropriate incident reports.

An inmate has no right to silence during questioning by any Department staff member regarding non-criminal Department violations.

52050.8 Planned Arrest Procedure

Whenever possible, every arrest shall be planned to minimize risk of injury to staff, inmates or to the public, or to destruction or damage to state property. Plans for arrests shall be formulated by or in conjunction with, or reviewed by the peace officer's supervisor. Plans for arrests shall consider at a minimum:

- Facts and circumstances of the criminal violation for which the person is being arrested.

- Criminal history with emphasis on potential for resisting arrest by use of weapons or dangerous instruments.
- The location of arrest and potential interference of other inmates or persons, or the potential risk to uninvolved inmates, other persons or staff.
- Determine any special equipment needed.
- Determine tactics to be used.

52050.9 Unplanned Arrest Procedure

The peace officer may unexpectedly discover a person engaged in a criminal act requiring prompt arrest. The decision to arrest must be made quickly and without the opportunity to confer with their supervisor.

The officer shall promptly communicate to other staff the present situation and the need for assistance. Depending on the circumstances of the situation, the officer may need to take immediate intervening action before arrival of additional staff assistance. In this case, the officer should consider the elements of risk involved in effecting the arrest including:

- Facts and circumstances of the criminal violation for which the person is being arrested.
- Potential for resisting arrest by use of weapons or dangerous instruments in the immediate area.
- The location of arrest and potential interference of other inmates or persons, or the potential risk to uninvolved inmates, a victim, or other persons or staff.
- Determine the most appropriate tactics to be used given available resources and response time of responding staff.

52050.10 Restraint Gear

Employees shall use only state-issued handcuffs, handcuff keys and other restraining equipment during the course of their duties. The possession of privately owned handcuffs, handcuff keys and other restraint equipment is prohibited on institutional grounds.

52050.10.1 Restraint Gear - Handcuffs/Handcuff Keys

The Wardens shall procure and issue state-owned handcuffs/keys to all personnel occupying the following posts:

- All uniformed custody personnel with inmate contact assigned to AD-SEG, PHU, SHU, Management Control Unit (MCU), psychiatric unit, or outside inmate work crew.
- All uniform custody personnel with inmate contact assigned to general population housing unit.
- All personnel assigned to a security squad.
- All personnel assigned to search and escort duties.
- All yard officers.

- All transportation details.

52050.10.1.1 Issuance

State owned handcuffs/keys shall be issued on receipt of metal key tags bearing the employees name. The tags shall be placed on the respective handcuff/key board hook. (Refer to DOM 55020.14 Key/Locking Device Control).

52050.10.2 All Restraint Gear

All state owned restraint equipment, including handcuffs, shall be etched with the institution/regions initials (SQ, CMF, CTF, etc.) where the equipment is used and numbered for identification.

- Restraint gear shall be stored in an area inaccessible to inmates. Each area shall have provisions (hook boards, etc.) for individual and sets of restraint gear for daily and operational use.

52050.10.3 Restraint Gear Use

All personnel who are required to apply restraint equipment shall be knowledgeable and competent in the following areas:

- Departmental handcuff and restraint gear policy.
- Methods for practical application of handcuffs and restraint equipment.

Mechanical restraints may be used under the following circumstances:

- When transporting inmates.
- When there is a reason to suspect an inmate may engage in violence, where bodily injury may occur, based on present behavior or apparent emotional state.
- Under medical advice to prevent the inmate from suicide or self-inflicted serious physical injury.
- Under no circumstances shall mechanical restraints be used for punitive purposes. When mechanical restraints become necessary, no restraint equipment shall be placed about the neck nor applied in any way as to inflict physical pain, undue physical discomfort, restriction of blood circulation or breathing.
- Restraint equipment shall not be used to secure an inmate to a stationary object except as a temporary measure. During transport, an inmate shall not be secured by any keyed locking device or equipment to any part of the transporting vehicle.
- When mechanical restraint is required, handcuffs alone or attached to a waist chain shall be the usual method. Other specialized restraints, such as leg irons or additional chains, may be permitted only when it appears that immediate circumstances exist to justify the use of such mechanical restraints.
- For application of restraint gear on pregnant inmates refer to Care, Treatment and Security of Pregnant Offenders, DOM 54045.11.

Note: The use of specialized mechanical restraints shall be documented except when an inmate is being transported outside the institution.

52050.11 Loss of Handcuffs/Keys

Loss or the misplacing of handcuffs and/or keys shall be reported immediately to the employee's supervisor, who shall notify the watch commander. A written report shall be submitted by the responsible employee.

52050.12 Application

For application of restraint gear refer to Transportation, DOM 55060.

52050.13 Restraining a Private Citizen

The use of mechanical restraints (handcuffs) to physically restrain or control a private citizen on institutional grounds is authorized only when an arrest is being made for a misdemeanor or felony. A supervisor shall evaluate the necessity to apply mechanical restraints prior to their use unless the citizen attempts to flee, escape, or physically refuses to submit to arrest. Once the private citizen has been restrained with handcuffs they shall remain cuffed until a disposition has been made by the local police authority.

52050.14 Search Policy

All managers and supervisors shall ensure their subordinates are aware of and comply with this search policy. Searches include:

- Unannounced and irregular timed searches of cells, dormitories, and living areas, inmates, residents and their work and assignment areas.
- Frequent search and careful supervision of inmate workers both inside and outside the security area.
- Inspection of all vehicular traffic, supplies, packages, and mail entering the institution.
- Use of metal detectors wherever feasible.
- Complete search and inspection of each cell, or living area, prior to occupancy by a new inmate.
- Avoidance of unnecessary force, embarrassment or indignity to the person being searched.
- Written authorization by the Warden or designee, to conduct searches of visitors and their property.
- Compliance with the Public Safety Officer's Bill of Rights, GC 3300.
- Post orders describing minimum search frequency requirements, authority, and method for accomplishment.
- A walk-through metal detector at the facility entrance building to inspect all persons visiting the institution (community re-entry facilities are excepted).

52050.15 Search of Employees

As with all persons who come on the grounds or into the institutions and facilities of the Department, all persons employed by the Department are subject to inspection and search of their person, property and vehicles, to the extent deemed necessary by the official in

charge. Consent to search is a condition of employment which may not be withdrawn while in or on the grounds of an institution or facility of the Department.

- The appropriate supervisor/administrator shall inform each new employee of departmental consent to search policy.
- An employee may be subjected to a more intensive search than is normally required when the official in charge has reasonable suspicion that the employee is involved in the unauthorized or unlawful possession or movement of anything into or out of an institution or facility of the Department. Such an intensive search may include the employee's person, vehicle, and any locker, desk or storage space assigned to or used by the employee.
- When the intensive search includes the employee's assigned locker, desk, or storage space provided by the Department, it shall be searched in the employee's presence, or with his/her consent, or with prior notification that a search will be conducted, or after a valid search warrant has been obtained. Whenever possible the employee shall be present during the search.
- When an employee is subjected to a more intensive search than is normally required, the employee shall be informed of the reason for the search and of the name of the official ordering the search before the search begins.
- Any search of an employee's person which involves the touching of the employee's clothed body or visual inspection of the employee's unclothed body shall be conducted in private and out of the sight and hearing of other employees and inmates. Such searches shall only be conducted, observed, and supervised by officials of the same sex as the employee.
- An intensive search of an employee's person, property, or vehicle shall be conducted by not less than two officials, at least one of whom shall be of a supervisory rank to assume official responsibility for the search.
- The intensive search of an employee's person, property or vehicle shall be verbally reported to the administrator of the institution or facility or to the duty officer immediately upon completion of the search. This shall be followed with a written report to the administrator and an incident report to the Director if the search discloses or confirms any suspected criminal activity.

52050.16 Searching Inmates - Housing Unit

Post orders shall require that a minimum of three cells, rooms, dorms, or living areas, in each housing unit is searched daily on each of the second and third watches by the assigned unit officer.

Insofar as possible, a cell, room, dorm, or living area and locker shall be searched immediately upon its vacancy and again, if there is a significant time lapse, before it is reassigned. Such inspections are required and shall be recorded for segregation, DD and SHU cells.

Every reasonable precaution shall be taken to avoid damage to personal property and to leave the inmate's quarters and property in good order upon completion of the search.

52050.16.1 Work and Non- Housing Area

Teachers, work supervisors, and instructors shall make a daily security and contraband search of the areas they supervise. Custody officer post orders shall require ongoing search each day and a thorough search of each inmate, work area, assignment shop and classroom once each week.

Inmates are subject to an inspection of their person either clothed or unclothed when there is reasonable suspicion that the inmate may have unauthorized or dangerous items or substances concealed on their person. Such inspection may also be a routine requirement for inmate movement into or out of high security risk areas. Random or spot-check inspections of inmates shall occur as a means to prevent the possession and movement of unauthorized and dangerous items and substances into, out of, or within the facility.

52050.16.2 Reasonable Suspicion

A clothed body search may be initiated when there is reasonable suspicion based on articulable facts, circumstances and rational inferences that a person has committed, is committing, or is about to commit a crime.

52050.16.3 Clothed Body Search of Male Inmates

Custody post orders shall require random clothed body searches of inmates, or when reasonable suspicion is established. Random search should be no more frequent than necessary to control contraband or to recover missing or stolen property; however, the routine search of inmates entering or leaving certain specified areas is not precluded.

- All institution staff are responsible for conducting random searches.
- This is a basic search alerting staff to possession of weapons or other serious contraband.
- A search shall be conducted with the inmate facing away from the staff member.
- Staff shall search inmates from the top of their head to the bottom of their feet, including shoes, all pockets, seams and personal effects.

52050.16.4 Clothed Body Search of Female Inmates

Body search procedures for clothed female inmates recognize, address and minimize the effects of cross-gender contact inherent in the body search process by limiting this function to female correctional staff unless an emergency exists that threatens death, inmate escape, or great bodily injury to staff, inmates, or visitors.

Custody post orders shall require random clothed body searches of inmates, or when reasonable suspicion is established. Random search should be no more frequent than necessary to control contraband or to recover missing or stolen property; however, the routine search of inmates entering or leaving certain specified areas is not precluded.

- This is a basic search alerting staff to possession of weapons or other serious contraband.
- A search shall be conducted with the inmate facing away from the staff member.

- Staff shall search inmates from the top of their head to the bottom of their feet, including shoes, all pockets, seams and personal effects.

Clothed Body Searches of female inmates shall be conducted by female correctional staff only, except in emergency situations as follows:

- When circumstances exist that require an immediate search of a female inmate in order to avoid the threat of death, escape, or great bodily injury to staff, inmates or visitors, and only until sufficient numbers of female correctional staff are available to assume critical body search duties.
- Clothed Body Searches performed by male correctional staff during the emergency circumstances described above shall sweep the inmate's breast and genital area with the back of the hand for the purpose of discovering contraband directly related to the threat posed by the emergency. If cause exists for a more thorough search, the female inmate shall be detained until a female correctional staff member is available to conduct the search.
- Under no circumstances shall male correctional staff perform non-emergency clothed body searches of female inmates.

52050.16.5 Unclothed Body Search of Inmates

Unclothed body searches:

- Correctional personnel, other than qualified medical staff, shall not conduct unclothed body inspections or searches of an inmate of the opposite sex, except in an emergency.
- Inmates assigned to designated areas, i.e., vocational programs, industries, plant operations, warehouse, outside crews, etc., may be subject to unclothed body searches before returning to the institution's general population.
- Routine unclothed body searches shall be conducted in a safe manner and in an area that allows the inmate to preserve some measure of dignity and self-respect.
- The inmates shall be required to remove all articles from their pockets. All articles shall be inspected by staff. If it is suspected that an inmate is in possession of dangerous contraband, the inmate shall be detained and closely observed until there is sufficient staff to conduct a "safe" search. In this circumstance, the staff member conducting the search shall initially conduct a clothed body search and remove all articles from the inmate's person rather than allow the inmate to remove them.
- The inmate shall then completely disrobe. Staff shall inspect and search each item of clothing and visually inspect the inmate's body.
- The inmate shall face the staff member who shall visually inspect the inmate's hair, ears, mouth, nose, body, armpits, hands, scrotum, genitals, and legs. The inmate shall turn away from staff upon instruction and staff shall then inspect the inmate's back, buttocks, thighs, toes, bottom of the feet and lastly, the anal area by having the inmate bend over, spread the cheeks of their buttocks and cough.

52050.17 Clothed Body Search of Visitors

Any person coming onto the grounds of any Department facility or camp or any Department contracted facility, is subject to having their person, vehicle and articles of

property in their possession searched. Visitors to such a facility are subject to a routine inspection of their persons, vehicles and any personal property in their possession. Such inspections shall be made to the degree consistent with the facility's security needs.

When peace officer staff determine that there is reasonable suspicion that the visitor is engaged in criminal activity including, but not limited to the smuggling of unauthorized items or substances in or out of the institution, the visitor may be subjected to a thorough clothed body search.

- Each correctional facility shall provide for the posting of a warning sign, in English and Spanish, at the entrance onto the property stating: "Entrance constitutes consent of search of visitor's person, property, or vehicles."
- For detail information for searching inmate visitors, refer to DOM 54020.
- Contraband that has been seized as evidence in a search of a person, other than an inmate, shall be turned over to the responding law enforcement agency.
- A visitor may refuse to submit to an inspection or search. A refusal shall result in the visitor being denied entrance to the facility.

If there is reasonable suspicion that the person is engaged in felonious activity and that evidence of such crime may be destroyed or disposed of if a search is not immediately conducted, the peace officer, with the concurrence of the watch commander, may detain the person and the property or vehicle to be searched until such time as a search warrant can be obtained. In all such cases the Warden or their designee will be immediately advised of the circumstances and a decision made about the course of action to be pursued.

52050.18 Family Visit Search

Visitors to family visiting units shall be searched to ensure that no contraband or unauthorized items enter the institution grounds.

- During processing of inmate visitors, all authorized items to be brought into the institutional family visiting area shall be thoroughly searched.
- Items which are not authorized shall not be allowed inside the institution and shall be secured off the institutional grounds by the visitor.
- In the event felonious contraband (weapons, narcotics, etc.) is discovered in the possession or in the property of a visitor, procedure as described in DOM 52050.17 shall be followed.

52050.19 Body Cavity Search

Correctional personnel, other than qualified medical staff, shall not conduct a search of an inmate's body cavities, other than visual or metal detector inspections. The search shall be conducted in a medical setting and any physical intrusion into body cavities shall be performed by a physician.

52050.19.1 Probable Cause

A body cavity search of inmates shall only be initiated when there is probable cause to believe the person has secreted contraband within a body cavity. Prior to initiation and

before each escalation of the search, the individual shall be given ample opportunity to voluntarily remove or surrender the contraband. Probable cause may be established by:

- Reliable confidential information.
- Irregularities found in the body cavities.
- Detection of contraband on the person.

Note: Probable cause is not dependent upon the outcome of the search.

52050.19.2 Authorization to Search

Authorization to initiate a body cavity search requiring any degree of intrusion shall be given by the Warden or designee after consideration of all information relating to probable cause.

52050.19.3 Supervision of Searches

All searches other than an initial visual or metal detector inspection and each progressive step shall be under the general supervision of a supervisory staff member not less than the level of lieutenant.

52050.19.4 Oral Cavity Searches

When an inmate is suspected of having secreted contraband in their mouth or attempts to swallow the evidence, no attempt shall be made to retrieve the contraband by force. A choke hold or any other physical restraint which prevents the person from swallowing or breathing shall not be used. If probable cause exists that evidence has been swallowed and that it is retrievable in usable form, the search process may be intensified as provided in this article, (see Contraband Surveillance Watch).

52050.19.5 Methods

In conducting any search of an inmate's body cavities, all persons involved shall be sensitive to the personal dignity of the individual and the individual's right to privacy of their own body. However, such rights may be abrogated to the extent necessary to preserve the security of the institution and the safety of persons.

52050.20 Degrees and Types of Searches

The degree and intensity of the search shall be that least required to bring the search to a conclusion. As the search progresses, with each new piece of evidence to support the presence of contraband, the person shall be given ample opportunity to voluntarily remove and surrender the contraband.

The types of searches include:

- Visual and metal detector searches.
- X-ray examinations.
- Physical intrusions by a physician.
- Physical isolation and observation.

52050.21 X-Ray Examination

X-ray examinations for the purpose of confirming the ingestion of contraband or concealment of contraband in body cavities shall be utilized only upon approval of a medical doctor and under the same medical requirements and precautions as apply to x-ray examinations for other medical reasons. An x-ray examination shall be ordered and interpreted only by a physician, who shall make the following determinations:

- Whether or not a foreign object(s) is within the inmate's body.
- A determination, if possible, of the nature of any foreign object(s).
- The effects of forcible removal or failure to remove the foreign object(s) upon the inmate's health and safety.
- Recommendations for consideration regarding the least intrusive way to retrieve the contraband.

52050.22 Forcible Retrieval

The forcible retrieval of contraband by intrusion into the inmate's body shall be avoided except as follows:

- When a medical doctor has determined that failure to remove the contraband presents an imminent danger to the life of the inmate.
- The contraband is clearly identifiable and constitutes an imminent threat to the security of the institution or the safety of other persons.
- The contraband cannot be retrieved by any less intrusive or forcible manner.
- Surgery. Surgical removal of contraband from the body of an inmate shall be the decision of the institution's CMO, and in keeping with rights of the individual as would apply in any other surgical process.

52050.23 Contraband Surveillance Watch

When it becomes apparent through medical examination, direct observation, or there is reasonable suspicion that an inmate has ingested or concealed contraband in their body, either physically or ingested, and the inmate cannot or will not voluntarily remove and surrender the contraband, or when a physician has determined that the physical removal of contraband may be hazardous to the health and safety of the inmate, the inmate may be placed in a medically approved controlled isolated setting on Contraband Surveillance Watch (CSW) under constant visual supervision observation until the contraband can be retrieved through natural means, or is voluntarily surrendered by the inmate.

This natural digestive process shall be used as an alternative to forcible intrusion into body cavities or surgery when a medical doctor determines that the natural method is feasible and does not pose a hazard or clear and present danger imminent threat to the inmate's health and safety.

52050.23.1 Authorization and Approval

The request to place an inmate on CSW shall be made by the on duty Watch Commander, and approved at the level of Correctional Captain or above during business hours, or by

the Administrative Officer of-the-Day (AOD) during non-business hours, on weekends or holidays.

52050.23.2 Isolated Settings

Inmates placed on CSW shall be placed in an isolated setting for the duration of the CSW to meet the objective of retrieving the concealed contraband. The isolated setting will be a cell that can provide the necessary security precautions of the institution/facility.

This setting may be in a general population area or in a segregated housing unit of the institution (i.e. Administrative Segregation or Security Housing Unit). In cases when the inmate is placed in a segregated housing unit, the reasons for ordering an inmate's placement will be clearly documented on a CDC Form 114D, Order and Hearing on Segregated Housing form by the official ordering the placement (not below the level of Correctional Lieutenant) in accordance with the California Code of Regulations (CCR) Section 3336 (a).

In an emergency situation, or when it is determined by the Health Care Manager (HCM) a physician or other medical personnel that the concealment of the contraband creates an imminent threat to the inmate's health and safety, the inmate may be placed in a medically approved isolated setting in a Correctional Treatment Center or an Outpatient Housing Unit. In such cases the security and custodial supervision, and CSW responsibilities will remain with the custodial personnel assigned to CSW detail under the direction of the Watch Commander.

52050.23.3 Placement in Isolated Setting

Prior to the inmate being placed on CSW in the isolated setting, the following shall be accomplished:

- The Watch Commander shall ensure that medical assessment of the inmate is completed by the HCM, the on-duty physician, or other medical personnel (i.e. RN, LVN) prior to the inmate's placement on CSW.
- The medical assessment and the results will be documented on a CDC Form 7219, Medical Report of Injury or Unusual Occurrence.
- The inmate shall be given an unclothed body search.
- The isolated setting shall be thoroughly searched.
- All moveable objects in the isolated setting shall be removed (except fixtures).
- The toilet (when present in the isolated setting) shall be covered in plastic and taped closed.
- The water to the toilet shall be turned off (if applicable).
- The inmate shall be placed in one pair of boxer shorts, one T-shirt, and one pair of socks, or an approved jumpsuit with or without a T- shirt or boxer shorts.
- As an added method of security, inmates maybe placed in two pairs of boxer shorts with the openings placed/worn in the opposite direction of each other.
- The legs and waist of the boxer shorts and/or the arms and legs of the jumpsuit will be taped closed to restrict the inmate's access to their body cavities.

- If the temperature in the isolated setting is below 65 degrees, the inmate shall also be provided a blanket.
- The inmate shall remain under constant visual observation at all times while on CSW.

52050.23.4 Mechanical Restraints

The inmate shall be placed in waist restraints with handcuffs attached and leg restraints during the duration of the time period that they are placed on CSW.

Four point restraints may be authorized when an inmate is disruptive or combative in accordance with CCR Section 3268.2 (c), and when approved by HCM or their designee. The use of four-point restraint equipment shall be documented in the inmate's Uniform Health Record (UHR) in accordance with CCR Section 3268.2 (d).

52050.23.5 Health and Safety Concerns

The inmate may be subjected to an x-ray examination in accordance with the Department Operations Manual (DOM), Section 52050.21 prior to their placement on CSW, and then again, there after, when it is determined to be necessary by the HCM or a physician.

If, during the course of the CSW, if for any reason the custodial supervisor observes a decline in the inmate's health, or it is believed that the inmate's health is affected by the concealed contraband, medical personnel shall be immediately contacted to conduct an assessment of the inmate's condition.

In an emergency situation, the HCM may authorize a physician to perform an intrusive search and remove the contraband in accordance with the DOM Section 52050.19 and the CCR Section 3287 (b)(5).

52050.23.6 Equipment

The equipment required for contraband watch shall include, but is not limited to, the following:

- Flashlight.
- Expandable Baton.
- M.K. 9 OC pepper spray.
- Handcuffs.
- Latex Gloves.
- Disposable Mask
- Bed pan/portable toilet or toilet liner (clear plastic bag).
- Evidence Bags.
- Tongue Suppressor or Probe.

Contraband Surveillance Watch (CSW) procedures shall be located within the assigned post orders, and on site for immediate referencing by staff assigned to observe the inmate on CSW.

52050.23.7 Voluntary Bowel Movement

When the inmate requests to have a bowel movement, the custodial staff assigned to CSW shall:

- Request additional custody staff coverage.
- Provide the inmate with a portable toilet, or use of the previously lined toilet in the isolated setting.
- Release one of the inmate's restrained hands to facilitate his bodily functions.
- Once the inmate has completed the bowel movement, the portable toilet or toilet liner shall be immediately retrieved or removed and the inmate will be re-secured in the restraint equipment.
- Using a tongue suppressor or probe, the fecal matter shall be searched for any contraband. The assisting custody staff member shall maintain constant supervision of the inmate while the assigned Correctional Officer completes the search.
- The presence or absence of contraband shall be documented per institution procedure and on a CDC Form 114-A, Detention/Segregation Record.
- If contraband is discovered, the contraband shall be processed as evidence in accordance with institution procedures, and documentation of the contraband shall be completed in accordance with DOM Section 51030, Crime/Incident Reports, and a rules violation reports will be completed.

52050.23.8 Removal from Contraband Surveillance Watch

The inmate may be removed from CSW when it is reasonably believed that the contraband has been relinquished or it is determined that the inmate is contraband free.

Normally, inmates will be retained on CSW for a period of not less than 72 hours, or the inmate may be required to complete at least three bowel movements free of contraband prior to being removed from CSW.

When it is determined by medical or custodial staff that the inmate may still be in possession of additional contraband at the conclusion of the 72 hour time period, approval to retain the inmate on CSW for an extended period of time may be approved only by the Warden or Chief Deputy Warden .

The request for the termination of an inmate's placement on CSW shall be made by the on duty Watch Commander, and approved at the level of Correctional Captain or above during business hours, or by the AOD during non-business hours, on weekends or holidays.

52050.24 Documentation

The placement of an inmate on CSW shall be documented per institution procedures by the Watch Commander requesting the placement of the inmate on CSW in accordance with Section 52050.23.1 of this policy.

Each employee assigned to the CSW detail shall document all activities related to the inmate on a CDC Form 114-A for the duration of the inmate's placement on CSW. This includes but not limited to, all searches performed prior to and during the inmate's placement on CSW, meals, hygiene, bowel movements, health concerns, medications, etc. Each Correctional Officer assigned to the CSW detail shall sign in and out at the beginning and end of the CSW observation period on the CDC Form 114-A.

The HCM, or their designee, shall document all medical decisions or issues relating to the inmate during placement on CSW in the inmate's UHR.

Complete and detailed documentation of all body cavity searches other than visual or metal detector inspections shall be submitted to the Warden or their designee for review.

The report shall include the following information:

- Chronology of events leading to the search and escalation of the search process.
- Name and rank of all persons participating in the search process or supplying information which justified the search.
- All evidence and information regarding the justification for each degree of the search.
- Results at the conclusion of the search.

52050.25 Vehicle Search - Visitors

Authorization to initiate a search of a visitor's vehicle may be given by the watch commander after consideration of all information relating to reasonable suspicion (Refer to DOM 52050.19.1.) Supervision of suspect vehicle search shall be limited to the supervisory rank of sergeant or above. Documentation shall be in accordance with DOM 52050.24.

52050.25.1 Vehicles Adjacent to Institutional Property

If probable cause exists warranting the search of a vehicle parked adjacent to institution property, the watch commander shall be notified and the driver and/or occupants of the vehicle shall be detained until the local law enforcement agency has been contacted and has responded.

Upon arrival of the local law enforcement agency, the Department peace officer shall apprise the law enforcement officer of all circumstances establishing probable cause for the detention. The local law enforcement officer shall then determine if a search should be undertaken. The Department peace officer shall remain present and render assistance and provide appropriate written reports to the agency as required.

52050.25.2 State Vehicles

All state vehicles shall be searched prior to use to ascertain that the vehicle is contraband free. When entering or departing the security perimeter, the vehicle shall be thoroughly searched by the custodial gate officer.

52050.25.3 Non-State/Common Carrier Vehicles

All non-state or common carrier vehicles are subject to search when entering or departing the institutional grounds. All non-state or common carrier vehicles shall be searched entering or departing the security perimeter of the institution.

- A systematic approach is essential to a thorough search. An effective search of a vehicle shall include passenger and freight compartments, trunk, motor compartment, roofs and the undersides. A more thorough search, including hubcaps, under dash, spare tire, etc., shall be conducted if circumstances warrant or there is reason to suspect the presence of contraband.
- All vehicles leaving the institution shall be thoroughly searched to minimize the possibility of an inmate being concealed therein. Barrels and loads of loose materials such as leaves, refuse, etc., shall be thoroughly probed with a rod.

52050.25.4 Employee Vehicles

Covered in DOM 52050.15.

52050.26 Parcel Searches

- All correctional staff shall ensure inmates do not have access to any packages, parcels, mail, or containers entering the security area of an institution prior to proper inspection for contraband.

All incoming packages/mail addressed to inmates shall be inspected in accordance with DOM section 54010, Inspection of Incoming Packages/Mail.

52050.27 K-9 UNIT

The departmental K-9 (canine) unit shall be used for narcotic detection and tracking escaped inmates. A request for the use of the K-9 unit shall be by a lieutenant or above. All requests, oral or in writing, shall be submitted to the Warden or designee for final approval prior to use.

52050.27.1 Narcotic Searches

For narcotic searches in cells, rooms, dorms, buildings, or vehicles the following shall be adhered to:

- The area to be searched shall be secured free of inmates until arrival of the K-9 unit.
- The K-9 unit shall be escorted by a staff member from the facility to be searched or by a member of the security squad.
- A list, in writing, of those areas to be searched shall be given to the K-9 handlers upon their arrival in the area.
- Upon the completion of the search by the K-9 unit, a physical search of the area shall be conducted by designated staff.

52050.27.2 Visitor/Vehicle Search

The K-9 unit shall assist search teams in locating secreted narcotics on visitors or vehicles only when reasonable suspicion is established. The requesting staff members

shall adhere to the procedures as set forth in this procedure, DOM 54020, Visiting; and 52051, Disposition of Contraband.

52050.27.3 Tracking Escaped Inmates

When it is determined that the K-9 unit is necessary for tracking escaped inmates, approval of the Warden or designee shall be obtained prior to requesting their services.

- The area where the escapee was last observed shall be secured and kept from any type of contamination (movement in that area, additional searching of the area, etc.) until the arrival of the K-9 unit.
- Upon establishing the track, the tracking team shall require the assistance of a minimum of two staff members. These staff members, in addition to weapons, shall be equipped with radios and restraint equipment.

52050.28 Revisions

The Director, Division of Adult Institutions, or designee, shall ensure that the content of this section is current and accurate.

52050.29 References

PC §§ 27, 830 - 849.5, 4030 and 11115.

CCR §§ 3005, 3177, 3270, 3287, 3288, 3289, and 3292.

GC § 3300, Public Safety Officers Bill of Rights.

ACA Standards 2-4192.